

U.S. SENATE, COMMITTEE ON ENERGY
AND NATURAL RESOURCES,

July 22, 2021.

TO THE SECRETARY OF THE SENATE: The nomination of Tracy Stone-Manning, of Montana, to be the Director of the Bureau of Land Management, vice Neil Gregory Komze, PN 443, having been referred to the Committee on Energy and Natural Resources, the Committee, with a quorum present, has voted on the nomination as follows—

On the question of reporting the nomination favorably with the recommendation that the nomination be confirmed, 10 ayes to 10 nays.

In accordance with section 3, paragraph (1)(A) of S. Res. 27 of the 117th Congress, I hereby give notice that the Committee has not reported the nomination because of a tie vote and ask that this notice be printed in the Record pursuant to the resolution.

JOE MANCHIN III,
Chairman.

VOTE EXPLANATION

Mr. KELLY. Mr. President, on July 19, 2021, I missed rollcall vote No. 267 on confirmation of Tiffany P. Cunningham, of Illinois, to be United States Circuit Judge for the Federal Circuit. Had I been in attendance, I would have voted yes on her confirmation.

TRISOMY 13

Mr. ROUNDS. Mr. President, today I rise to thank Belle Lunders, one of my constituents, for sharing the significance of Trisomy 13 awareness.

I ask unanimous consent that her statement regarding Trisomy 13 be submitted to the CONGRESSIONAL RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Trisomy 13 is a chromosomal disorder where the 13th pair of chromosomes have an extra copy creating three chromosomes. Trisomy 13 is the least common and most severe of the feasible autosomal trisomies. Median survival is fewer than three days. It affects one in every 8,000 to 12,000 live births.

Babies born with Trisomy 13 can have many health problems and more than 80 percent don't survive more than a few weeks. Between 86 percent and 91 percent of live births do not live past their first year. Survival beyond the first year is associated with mosaicism. There is no cure for Trisomy 13 but different treatments depend on the symptoms. In most cases surgery and therapy are the best options. Prenatal testing and ultrasound can confirm a Trisomy 13 diagnosis through amniocentesis.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:32 a.m., a message from the House of Representatives, delivered by Mrs. Alli, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 2467. An act to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980.

At 12:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 3985. An act to amend the Afghan Allies Protection Act of 2009 to expedite the special immigrant visa process for certain Afghan allies, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 2467. An act to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980; to the Committee on Environment and Public Works.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-24. A joint memorial adopted by the legislature of the State of Colorado urging the Department of Defense to keep the United States Space Command (USSPACECOM) in Colorado; to the Committee on Armed Services.

SENATE JOINT MEMORIAL 21-001

Whereas, Our nation and the world have significantly benefitted from technological and scientific advances resulting from space exploration and aerospace activities, and Colorado is paving the way for new discoveries in the frontiers of space by having a rich history in aerospace development and being at the forefront of space travel, exploration, and aerospace research; and

Whereas, Colorado is the acting provisional Space Command Base and it will remain the provisional base until 2023. Colorado is also the center for United States military space operations and strategy. According to the Colorado Space Coalition (CSC), the state's military commands are the primary customers for space-based research, development, acquisitions, and operations, representing nearly 90 percent of space-related expenditure by the military. Moving the United States Space Command (USSPACECOM) to Huntsville, Alabama, will be incredibly disruptive to the National Defense Strategy. In addition, it will cause a major upheaval in existing infrastructure and jobs

in the state, which will result in higher costs and less efficient outcomes for the United States military; and

Whereas, Colorado is strategically located at the center of our national and space defense. We are the home to five key strategic military commands: North American Aerospace Defense Command (NORAD), United States Northern Command (USNORTHCOM), United States Strategic Command's Joint Functional Component Command for Space (JFCC Space) Missile Warning Center, the United States Air Force Space Command, and the United States Army Space and Missile Defense Command/Army Forces Strategic Command; and five military installations, including United States Air Force bases Buckley, Cheyenne Mountain, Peterson, and Schriever, as well as Fort Carson Army Base; and

Whereas, The 460th Space Wing at Buckley Air Force Base provides operational command and control of three constellations to space-based infrared missile warning systems, has been defending America continuously since 1970, and is a critical part of global defense and national security; and

Whereas, Colorado leads the charge in bringing current and future global positioning system (GPS) assets to life, a service provided free to the world by Air Force Space Command in Colorado Springs. From the operation of GPS satellites by Schriever Air Force Base to GPS III, the most powerful GPS satellite to date—being designed and built by Lockheed Martin and launched by United Launch Alliance with Raytheon developing the command and control capabilities, and with companies such as Boeing, Harris Corporation, Braxton Technologies, and Infinity Systems Engineering also supporting GPS development and operations from locations in Colorado, GPS technologies enable an integral part of our global economy to have an incalculable impact that has improved the everyday lives of billions of people around the world; and

Whereas, Colorado's aerospace industry is home to a broad range of companies that create products and systems for commercial, military, and civil space applications, such as spacecraft, launch vehicles, satellites, command and control software, sensors, and navigation operations. These companies include Ball Aerospace, Boeing, DigitalGlobe, Harris Corporation, Lockheed Martin Space Systems, Northrop Grumman, Raytheon, Sierra Nevada Corporation, Teledyne Brown Engineering, and United Launch Alliance, which make up a large portion of the aerospace sector; and

Whereas, Colorado has an existing educated workforce, ranked second in the nation with residents with a bachelor's degree or higher, and a pipeline of higher education institutions to sustain future growth. We are home to the United States Air Force Academy and many colleges and universities, including the University of Colorado Boulder and the University of Colorado Colorado Springs, Colorado School of Mines, Colorado State University, Metropolitan State University of Denver, University of Denver, Colorado Mesa University, and Fort Lewis College. Altogether, they provide access to world-class aerospace-related degrees and offer aerospace companies one of the country's most educated workforces; and

Whereas, Colorado is home to some amazing research institutions. These institutions include the prestigious Laboratory for Atmospheric and Space Physics (LASP) at the University of Colorado Boulder. It began in 1948, a decade before NASA, and is the world's only research institute to have sent instruments to all eight planets and to Pluto, combining all aspects of space exploration through science, engineering, mission operations, and scientific data analysis; and

Whereas, Colorado is also home to the National Oceanic and Atmospheric Administration's (NOAA) Space Weather Prediction Center, a world-leading center of predictions for the solar and near-Earth space environment and the nation's official source of watches, warnings, and alerts of incoming solar storms, using satellite observations to protect and save lives and property; and

Whereas, Various organizations are key to Colorado's prominence in aerospace, such as the Colorado Space Coalition, a group of industry stakeholders working to make Colorado a center of excellence for aerospace; the Colorado Space Business Roundtable, working to bring together aerospace stakeholders from the industry, government, and academia for roundtable discussions and business development and to encourage grassroots citizen participation in aerospace issues; the Colorado chapter of Citizens for Space Exploration, whose mission is to promote better understanding of aerospace and its importance in our economy and daily lives, as well as to promote the importance of human space exploration; Manufacturer's Edge, a statewide manufacturing assistance center that encourages the strength and competitiveness of Colorado manufacturers by providing on-site technical assistance through coaching, training, and consulting, by providing collaboration-focused industry programs, and by leveraging government, university, and economic development partnerships; and the Space Foundation, founded in 1983, with its world headquarters in Colorado Springs, Colorado, which holds an annual Space Symposium, bringing together civil, commercial, and national security space leaders from around the world to discuss, address, and plan for the future of space; and

Whereas, For the aforementioned reasons, it is in the best interests of the American taxpayer to keep USSPACECOM in the state because Colorado is already fulfilling the mission of the USSPACECOM; because Colorado Springs has in place the community infrastructure capacity and community support to champion an expanding mission; because the move will cost the United States billions of dollars to relocate the facility; and because the move would severely disrupt the Colorado aerospace industry, which has grown to support the mission: Now, therefore, be it

Resolved by the Senate of the Seventy-third General Assembly of the State of Colorado, the House of Representatives concurring herein:

That we, the members of the General Assembly:

(1) Recognizing Colorado's unique blend of military installations and major commands, private aerospace companies, academic and research institutions, and government entities, and the valuable synergies this ecosystem produces, strongly urge the Department of Defense and the incoming Biden-Harris administration to reevaluate the merits of this irresponsible decision and should rightly conclude that it is the correct decision to keep the existing United States Space Command in Colorado;

(2) Furthermore, strongly urge the Department of Defense and the incoming presidential administration to permanently base the United States Space Command (USSPACECOM) in Colorado, recognizing that Colorado provides the existing command structure, base infrastructure, and communications platforms necessary to successfully host additional national security initiatives and ensure coordination of efforts without committing additional funds;

(3) Proudly express that Colorado has deep ties with the Department of Defense and immense patriotic commitment to providing

for the nation's security and bolstering our defense;

(4) Express our most sincere and deepest appreciation to our service members and civilian employees working in and supporting military and civilian aerospace companies, military installations, and civil organizations in Colorado; and

(5) Hereby declare Colorado to be the prime location for the permanent headquarters for USSPACECOM. Be it further

Resolved, That copies of this Senate Joint Memorial be sent to President-elect Joseph R. Biden, Jr.; Vice President-elect Kamala Harris; Congresswoman Nancy Pelosi; Congressman Kevin McCarthy; Senator Chuck Schumer; Senator Mitch McConnell; Senator Michael Bennet; Senator John Hickenlooper; Congresswoman Diana DeGette; Congresswoman Lauren Boebert; Congressman Jason Crow; Congressman Joe Neguse; Congressman Ken Buck; Congressman Doug Lamborn; Congressman Ed Perlmutter; Jim Bridenstine, NASA Administrator; James W. Morhard, NASA Deputy Administrator; Steve Dickson, Federal Aviation Administration Administrator; Governor Jared Polis; Lieutenant Governor Dianne Primavera; Brig. Gen. Laura Clellan, The Adjutant General, Colorado National Guard; Wayne R. Monteith, Associate Administrator for Commercial Space Transportation at the Federal Aviation Administration; General John W. "Jay" Raymond, Air Force Space Commander; Colonel Jacob Middleton, USAF, Commander Aerospace Data Facility-Colorado; Dr. Christopher Scolese, Director, National Reconnaissance Office; Ross Garelick Bell, Executive Director, Aerospace States Association; Thomas E. Zelibor, Chief Executive Officer, Space Foundation; Dr. Ronald Sega, Co-chair, Colorado Space Coalition; Michael Gass, Co-chair, Colorado Space Coalition; and Stacey DeFore, Chair, Colorado Citizens Space Exploration.

POM-25. A concurrent resolution adopted by the Legislature of the State of North Dakota urging the United States Congress to pass the North Dakota Trust Lands Completion Act; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 4013

Whereas, upon statehood in 1889, North Dakota was granted 2.6 million acres of scattered lands and minerals with the purpose of funding education and public needs within the state; and

Whereas, establishment of tribal nations and the Little Missouri National Grasslands trapped state-owned lands and minerals within these boundaries which often are very difficult for North Dakota to access and manage; and

Whereas, North Dakota currently holds over 130,000 acres of minerals and over 31,000 surface acres within tribal nations alone, which are largely unable to be developed by the state pursuant to North Dakota's mandate to generate income for schools, universities, and other public purposes; and

Whereas, authorizing North Dakota to relinquish North Dakota land grant parcels located within tribal nations and the grasslands and to select other federal lands or minerals in lieu of not receiving full access to and use of the original land since North Dakota attained statehood will fulfill the promise of land and minerals to North Dakota, provide to Indian tribes greater tribal sovereignty and control of lands and minerals within tribal nations, and provide for greater conservation and preservation of the grasslands; and

Whereas, Congress should authorize North Dakota to relinquish the lands and minerals located within tribal nations and the grass-

lands; and to select in lieu of the relinquished land other federal lands or minerals within North Dakota of equal value: *Now, therefore, be it resolved by the Senate of North Dakota, the House of Representatives Concurring Therein:*

That the Sixty-seventh Legislative Assembly urges the Congress of the United States to pass the North Dakota Trust Lands Completion Act; and be it further

Resolved, that the Secretary of State forward copies of this resolution to the President of the United States, the Speaker of the United States House of Representatives, the President Pro Tempore of the United States Senate, the United States Secretary of the Interior, and each member of the North Dakota Congressional Delegation.

POM-26. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the President of the United States to end the pause on offshore oil and natural gas leasing and allow for the continued exploration, development, and production of oil and natural gas resources in the Gulf of Mexico; to the Committee on Energy and Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 71

Whereas, the oil and natural gas industry has historically provided thousands of high-paying jobs for Louisianans working in production or transportation of oil and natural gas, generating millions of dollars in annual revenue for state and local programs, and decreasing America's dependence on imported oil; and

Whereas, recent action by the federal government has paused offshore oil and natural gas leasing and stopped pipeline development; and

Whereas, an extended leasing ban would greatly diminish investment and activity in Gulf of Mexico production and result in substantial, irreplaceable job losses and loss of revenue to the state and its communities; and

Whereas, Gulf of Mexico production provides the only annual recurring revenue from the Gulf of Mexico Energy Security Act, more commonly referred to as GOMESA, a standing revenue sharing arrangement; and

Whereas, under the GOMESA revenue sharing provisions, Gulf oil and gas producing states, including Louisiana, split 37.5 percent of qualified outer continental shelf revenues and 12.5 percent of revenues are directed to the Land and Water Conservation Fund stateside program, through which states can receive up to \$125 million a year in grants; and

Whereas, the GOMESA revenues fund vital coastal protection and restoration programs as set forth by the Coastal Protection and Restoration Authority's Master Plan for a Sustainable Coast; and

Whereas, an Obama Administration report from the Bureau of Ocean Energy Management analyzing the effects of offshore leasing restrictions found that United States greenhouse gas emissions would be little affected and would increase globally in the absence of new offshore leasing due to increased foreign imports; and

Whereas, the Gulf of Mexico has the lowest carbon intensity in the world in terms of emissions, other than Saudi Arabia, and would be lower than Saudi imports, with 1,274,450 barrels of oil or 62 percent of all 2021 Gulf of Mexico deepwater production being produced by a public corporation with an existing net zero pledge; and

Whereas, the oil and natural gas industry has invested over \$108 billion in greenhouse gas mitigating technologies contributing to a sharp decline in emission of CO₂ in the United States; and

Whereas, from 2000 to 2018, emissions declined 67 percent in the United States relative to oil and gas production; and

Whereas, in the same period of time, the carbon dioxide emissions in the rest of the world increased by 29 percent; and

Whereas, the 2020 Louisiana Emissions Analysis, published by the Consumer Energy Alliance, a leading voice for sensible energy policies for families and businesses, found that emissions declined by 71 percent across the state since 1990; and

Whereas, during that same period of emissions reduction, Louisiana's gross domestic product surged 177 percent; and

Whereas, pipeline transportation provides a consumer-friendly and intrinsically safer mode of transportation compared to others that have higher emissions; and

Whereas, restricting pipeline development results in higher costs to consumers and higher transportation emissions; and

Whereas, because projections show energy demand will continue to rise, restricting development on federal lands and waters is nothing more than an "import more oil" policy forcing the United States to rely on imports from sometimes hostile foreign countries with lower environmental standards; and

Whereas, broad and predictable access to offshore oil and natural gas resources will help support and grow more jobs and activity in Louisiana and the Gulf region, reduce America's reliance on overseas imports, and increase revenues to the state and its localities. Therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge and request the administration of President Biden to immediately end its pause on offshore oil and natural gas leasing and allow for the continued exploration, development, and production of oil and natural gas resources in the Gulf of Mexico; and be it further

Resolved, That the Legislature of Louisiana also expresses its support for the ongoing development of America's superior pipeline transportation network to the benefit of American consumers and American workers and allow the inherent economic benefits thereof to be fully realized; and be it further

Resolved, That a copy of this Resolution be transmitted to the president of the United States, each member of the president's cabinet, and to the members of the capitol press corps.

POM-27. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress to pass the "Retired Pay Restoration Act"; to the Committee on Armed Services.

ASSEMBLY RESOLUTION NO. 260

Whereas, A 19th Century law requires military retired pay to be offset, dollar for dollar, by the amount of disability compensation received from the United States Department of Veterans Affairs (VA); and

Whereas, Military retired pay earned by service and sacrifice in defending the United States should not be reduced because a military retiree is also eligible for veterans' disability compensation awarded for a service-connected disability; and

Whereas, Retired pay and disability compensation are different types of compensation—retired pay is provided to recognize a career of uniformed service while VA disability compensation is compensation for pain, suffering, and lost future earning power due to service-connected disabilities; and

Whereas, The "Retired Pay Restoration Act" pending before Congress would permit retired members of the Armed Forces who have a service-connected disability to receive both military retired pay by reason of

their years of military service and disability compensation from the VA; and

Whereas, Service members make countless sacrifices in service to this country and State and should not be forced to forfeit their military retired pay because a 19th Century law reduces their retirement benefit by the amount they receive in disability compensation: Now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. This House respectfully urges the United States Congress to pass the "Retired Pay Restoration Act."

2. Copies of the resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice-President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and every member of Congress elected from this State.

POM-28. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress and President of the United States to pass and enact the "Disabled Veterans Tax Termination Act"; to the Committee on Armed Services.

ASSEMBLY RESOLUTION NO. 262

Whereas, The State is home to approximately 355,000 U.S. military veterans; and

Whereas, Under current federal law, a military veteran with a service-connected disability can only claim concurrent retirement and disability pay if the veteran has a service-connected disability rating of 50 percent or higher; and

Whereas, Disability rating is a percentage assigned by the federal Department of Veterans Affairs to reflect the severity of a veteran's disability; and

Whereas, Concurrent retirement and disability pay allows military veterans to claim military retirement pay without having the retirement pay offset by the amount of disability compensation that those veterans receive; and

Whereas, Under current federal law, a military veteran not receiving concurrent retirement and disability pay has his or her military retirement pay reduced dollar for dollar by the amount received from veteran disability compensation; and

Whereas, A military veteran who is entitled to both retirement pay and disability compensation should not be subject to a retirement pay reduction for receiving disability compensation; and

Whereas, The federal "Disabled Veterans Tax Termination Act" would allow a veteran with a disability rating lower than 50 percent to receive concurrent retirement and disability pay; and

Whereas, Currently, a military veteran under Chapter 61 can only claim concurrent retirement and disability pay if the veteran has at least 20 years of service; and

Whereas, A Chapter 61 military veteran is one who retires from the military due to a service-connected disability and whose disability rating is 30 percent or higher; and

Whereas, The federal "Disabled Veterans Tax Termination Act" would allow a military veteran under Chapter 61 with less than 20 years of service to receive concurrent retirement and disability pay; and

Whereas, The federal government should not limit the amount of retirement pay a military veteran receives just because the military veteran also receives disability compensation: Now, therefore, be it

Resolved by the General Assembly of the State of New Jersey:

1. This House urges the Congress and President of the United States to pass and enact

the "Disabled Veterans Tax Termination Act."

2. Copies of this resolution, as filed with the Clerk of the General Assembly, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the House of Representatives, and each member of the United States Congress elected from this State.

POM-29. A joint memorial adopted by the Legislature of the State of New Mexico requesting the United States Congress and the President of the United States to base payments in lieu of taxes on a full property tax equivalency basis; to the Committee on Energy and Natural Resources.

SENATE JOINT MEMORIAL 2

Whereas, payments in lieu of taxes are federal payments to local governments that help offset losses in property taxes due to the existence of nontaxable federal lands within their boundaries; and

Whereas, according to the United States Department of the Interior, New Mexico has twenty-two million three hundred sixty-nine thousand five hundred thirty-one acres of land eligible for payments in lieu of taxes; and

Whereas, New Mexico received forty-one million four hundred thousand dollars (\$41,400,000) of payments in lieu of taxes from the Federal Government in Fiscal Year 2020; and

Whereas, technology now exists to more accurately determine the property tax equivalency value of all federal lands in the State; and

Whereas, according to the Congressional Research Service, when the Federal Government changed its public lands policy in 1976 from one of disposal to one of retention, Congress agreed to make payments in lieu of taxes "to make up for the presence of nontaxable land" on a "tax equivalency" basis; and

Whereas, tax equivalency means the amount that would have been received by these jurisdictions if the federal lands were privately owned; and

Whereas, the Federal commitment to pay the property tax equivalency for payments in lieu of taxes is vital for New Mexico's children and communities and is particularly important during periods of fluctuating economic conditions; and

Whereas, New Mexico appreciates every dollar of payments in lieu of taxes received, yet the payments in lieu of taxes that New Mexico receives are not the fair property tax equivalency value, resulting in exponentially compounding depressive impacts on funding for education and essential government services, including first responder services, the construction of roads, schools and other infrastructure and search and rescue services; and

Whereas, the current fluctuating economic conditions have intensified this structural burden borne by New Mexico residents and communities to fund education and all other government services; Now, therefore, be it

Resolved, by the Legislature of the State of New Mexico that it call upon the United States Congress and the President of the United States to base payments in lieu of taxes on a full property tax equivalency basis, as committed at the inception of the payment in lieu of taxes program; and be it further

Resolved, That the Legislature of the State of New Mexico call upon the United States Congress and the President of the United States to coordinate expeditiously and in

good faith with New Mexico and other willing states to adopt such laws, regulations and policies as are necessary to ensure that all future payments in lieu of taxes are permanently made on a full property tax equivalency basis; and be it further

Resolved, That the Legislature of the State of New Mexico call upon all people of good will and local, state and national leaders to come together to secure the full and fair property tax equivalency of payments in lieu of taxes for children and communities throughout New Mexico and the Nation; and be it further

Resolved, That copies of this memorial be transmitted to the President of the United States, the Vice President of the United States, the Majority Leader and Minority Leader of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, the New Mexico Congressional Delegation and the Governor of New Mexico.

POM-30. A resolution adopted by the Senate of the State of Michigan urging the President of the United States to support the Keystone XL Pipeline, reverse his decision to cancel the permit, and to support American jobs and energy cooperation with our Canadian neighbors; to the Committee on Energy and Natural Resources.

SENATE RESOLUTION NO. 53

Whereas, In order to continue fueling our economy, the United States will need more oil and natural gas. Despite efforts to increase the use of renewable energy, the United States is still many years away from ending its dependence on nonrenewable resources; and

Whereas, While working towards cleaner energy standards and pursuing ways to use energy more efficiently is laudable, blindly rejecting the critical role of the oil and gas industry in fueling America's economy will not only result in skyrocketing energy prices, but will also cripple job growth. Those most impacted by increased prices to heat their homes, fill their gas tanks, and keep the lights on are those least able to afford it; and

Whereas, The Premier of Alberta Province in Canada, upon hearing that President Joe Biden will revoke the Keystone XL Pipeline, has urged the Prime Minister of Canada to reach out to the Biden administration to reverse course. Unfortunately, instead of going forward with a project that will benefit countless communities and individuals on both sides of the border, President Joe Biden has decided to hinder American-Canadian energy cooperation as one of his first actions as president; and

Whereas, The United States and Canada are each other's largest energy trading partners. Canada has significant oil reserves and is a responsible partner in regulating the oil and gas industry. Projects such as the Keystone XL Pipeline, when combined with other oil and gas projects in both Canada and the United States, promote North American energy independence and job creation. The United States should be looking for ways to increase and improve our relationship with Canada, not diminish it: Now, therefore, be it

Resolved by the Senate, That we urge President Joe Biden to support the Keystone XL Pipeline, reverse his decision to cancel the permit, and to support American jobs and energy cooperation with our Canadian neighbors; and be it further

Resolved, That copies of this resolution be transmitted to the Office of the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and

the members of the Michigan congressional delegation.

POM-31. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to reauthorize the Atchafalaya Heritage Area program; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT RESOLUTION NO. 27

Whereas, the Atchafalaya National Heritage Area program was designated in 2006 for the purpose of enhancing and protecting the historic, cultural, scenic, recreational, and environmental assets in the fourteen-parish region; and

Whereas, the Atchafalaya National Heritage Area is one of fifty-five national heritage areas designated by Congress since 1984; and

Whereas, National Heritage Areas tell significant stories that celebrate the nation's diverse heritage; and

Whereas, the Atchafalaya basin is the largest and most productive river swamp in the United States; and

Whereas, the Atchafalaya basin provides habitat for twenty-four federal and state-listed threatened or endangered species or species of concern including the Louisiana black bear, the brown pelican, and the bald eagle; and

Whereas, the Atchafalaya National Heritage Area supported events and programs that engaged over fifty thousand residents and visitors and leveraged over sixteen thousand volunteer hours since 2006; and

Whereas, the Atchafalaya National Heritage Area directly leveraged over five million dollars in matching funds over the life of the program; and

Whereas, the Atchafalaya National Heritage Area is among the most culturally-rich and ecologically-varied regions in the United States, home to the widely recognized Cajun culture as well as a diverse population of European, African, Caribbean, and Native-American descent. Therefore, be it

Resolved, that the Legislature of Louisiana memorializes the Congress of the United States to take action to reauthorize the Atchafalaya National Heritage Area program to continue the work of promotion and preservation of the cultural, natural, and recreational resources of the area for the next fifteen years; and be it further

Resolved, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate, the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress.

POM-32. A joint resolution adopted by the Legislature of the State of Wyoming requesting the United States Congress and the federal government to reverse federal orders and actions that inhibit the safe development of oil and gas in Wyoming; to the Committee on Energy and Natural Resources.

SENATE JOINT RESOLUTION NO. 3

Whereas, the state of Wyoming contains abundant and vast natural resources that are and can be used for the production of energy throughout the United States and world; and

Whereas, Wyoming produces energy that benefits consumers and industries throughout the United States; and

Whereas, the energy industry in Wyoming provides millions of dollars in taxes and other revenues annually to the state of Wyoming; and

Whereas, the state of Wyoming and the energy industry have worked together for years to develop Wyoming's energy resources in a safe and environmentally responsible manner, including the development of tech-

nologies to promote the responsible development and use of Wyoming energy; and

Whereas, the federal government owns almost one-half (1/2) of the surface acreage within the state of Wyoming and more than forty-two million (42,000,000) acres of mineral estate in Wyoming; and

Whereas, federal decisions and actions banning, pausing or significantly reducing the production of energy negatively impact the economy of Wyoming and the livelihoods and wellbeing of Wyoming's residents; and

Whereas, President Joseph R. Biden, Jr. signed Executive Order No. 13,990 on January 20, 2021, which requires the federal Secretary of the Interior to unilaterally stop all federal leasing of oil and gas resources in Wyoming; and

Whereas, President Biden signed Executive Order No. 14,008 on January 27, 2021, which indefinitely pauses oil and natural gas leasing and calls for a comprehensive review of federal oil and gas permitting and leasing practices to evaluate potential climate impacts; and

Whereas, the President and various federal agencies have, since January 20, 2021, taken actions and issued orders to limit actions, permits and leases for oil and gas production, including a Department of the Interior order that revoked authority for issuing fossil-fuel authorizations, leases, permits to drill and the affirmative extension of leases and contracts; and

Whereas, these executive actions will lead companies to pursue energy development in other parts of the world where energy resources are not as environmentally responsible and where responsible energy regulations are lacking to where a net negative impact on climate emissions may likely result; and

Whereas, these executive actions severely and negatively affect the value of property held by the state and citizens of Wyoming in areas affected by these orders due to the fact that federal property is intermingled with private and state lands and oil and gas development often involves lateral drilling techniques which cross several classes of property; and

Whereas, these executive actions will adversely impact and jeopardize the employment of at least twenty thousand (20,000) Wyoming citizens who directly or indirectly work in oil, gas and related industries representing over seven percent (7%) of the total employment in Wyoming; and

Whereas, these executive actions may result in negative impacts to Wyoming's diverse wildlife and habitat, including a decreased ability to mitigate wildlife impacts, increased development on currently undisturbed lands and a decrease in quality habitat reclamation work; and

Whereas, these executive actions are causing immediate, disproportionate and extensive harm to the state of Wyoming and will inflict lasting damage on Wyoming residents, industries and the critical services upon which Wyoming residents depend. Now, therefore, be it

Resolved by the Members of the Legislature of the State of Wyoming:

Section 1. That the President of the United States rescind, reverse or repeal the executive orders that were issued in January 2021 that suspend or pause leasing, permitting, extensions and authorizations of oil and gas development in Wyoming and that will have an adverse impact on climate change and Wyoming's wildlife and habitat resources while inflicting irreparable and disproportionate harm on the state of Wyoming.

Section 2. That the President of the United States direct all federal agencies to rescind, reverse or repeal any secretarial orders or actions that negatively impact responsible

energy and energy technology development in Wyoming, including Department of the Interior Secretarial Order No. 3395.

Section 3. That the Wyoming Legislature strongly opposes actions by or that direct federal agencies, including the federal Environmental Protection Agency, to unilaterally increase the burden on existing oil and gas companies in Wyoming and to increase the burden on those companies' facilities in Wyoming in an attempt to achieve climate-related goals that are unrealistic and that disproportionately impact the people of Wyoming.

Section 4. That the Wyoming Legislature strongly supports the efforts of the Wyoming congressional delegation to prevent the President and the federal executive branch from unilaterally issuing suspensions and moratoriums on energy development in Wyoming, including the Protecting Our Wealth of Energy Resources (POWER) Act of 2021 and the Safeguarding Oil and Gas Leasing and Permitting Act.

Section 5. That the Wyoming Legislature strongly encourages further congressional action to protect responsible leasing and permitting of oil and gas in Wyoming and to protect Wyoming's residents, energy industry and other industries that are negatively impacted by these executive actions.

Section 6. That the Secretary of State of Wyoming transmit copies of this resolution to the President of the United States, to the Acting Secretary of the Department of the Interior, to the Acting Administrator of the federal Environmental Protection Agency, to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to the Wyoming Congressional Delegation.

POM-33. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to fund a study on floodwater harvesting; to the Committee on Environment and Public Works.

HOUSE CONCURRENT MEMORIAL NO. 2004

Whereas, the seven Colorado Basin states, which consist of Arizona, California, Colorado, Nevada, New Mexico, Utah and Wyoming, are in the twentieth year of severe drought and are therefore experiencing a severe water shortage; and

Whereas, water levels are critical. Lake Powell and Lake Mead store the water supply for both urban and rural usage, and, if drought conditions continue, these reservoirs are likely to reach critically low elevations by 2026; and

Whereas, on January 21, 2020, the Lake Mead water level was at 43%, or approximately 1,093 feet; and

Whereas, the Hoover Dam impounds Lake Mead and provides power to millions of people in Southern California, Nevada and Arizona. If the level of Lake Mead declines below 1,050 feet, hydropower generation will be significantly reduced; and

Whereas, at 895 feet, Lake Mead can no longer provide water; and

Whereas, a new water source could help augment Colorado River supplies; and

Whereas, Denver, Colorado is successfully harvesting floodwater from the Missouri River to help alleviate its water shortage; and

Whereas, in wet years, the Mississippi River reaches flood level with a resulting loss of vast quantities of water into the Gulf of Mexico; and

Whereas, historic flooding in 2011 and 2019 along the Mississippi River caused 11 deaths and damaged infrastructure, homes, businesses and agriculture and other industries. Combined estimates of damages and losses of the flooding exceeded \$9.5 billion, according

to the United States National Oceanic and Atmospheric Administration; and

Whereas, liquid can be successfully moved thousands of miles through pipelines; and

Whereas, Arizona has long been at the forefront among western states in supporting the development and implementation of pioneering, well-reasoned water management policies.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress fund a technological and feasibility study of developing a diversion dam and pipeline to harvest floodwater from the Mississippi River to replenish the Colorado River and prevent flood damage along the Mississippi River.

2. That, if shown to be feasible, the United States Congress implement the diversion dam and pipeline as a partial solution to the water supply shortage in Lake Powell and Lake Mead and the flood damage that occurs along the Mississippi River.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives, the Governors of the Mississippi River states of Arkansas, Illinois, Iowa, Kentucky, Louisiana, Minnesota, Mississippi, Missouri, Tennessee and Wisconsin, and each Member of Congress from the State of Arizona.

POM-34. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to appropriate monies to eradicate salt cedars from Arizona waterways; to the Committee on Environment and Public Works.

HOUSE CONCURRENT MEMORIAL NO. 2001

Whereas, the salt cedar tree, also known as the tamarisk, was brought to the United States in the 1800s as an ornamental plant to stabilize soil and control erosion; and

Whereas, salt cedars are now listed as an invasive species by the United States Department of Agriculture; and

Whereas, salt cedars spread prolifically by both seed and sprouting, congesting thousands of acres of river land in Arizona; and

Whereas, the density of salt cedars creates dangerous conditions by congesting flood-prone areas, impeding water flow and exacerbating the impact of flooding; and

Whereas, by increasing the frequency and intensity of wildfires, salt cedars threaten existing and future infrastructure in surrounding communities; and

Whereas, this invasive plant out-competes native cottonwood, mesquite and willow and displaces riparian and other wildlife habitats by altering the ecology and hydrology of native systems; and

Whereas, each salt cedar tree consumes 200 to 300 gallons of water a day, which lowers the water table and creates large deposits of salt in the soil; and

Whereas, salt cedars negatively impact Arizona's economy by jeopardizing agriculture due to high water usage, tending to obstruct irrigation canals and limiting recreational opportunities; and

Whereas, eliminating salt cedars will sustain precious water supplies, reduce the risk of environmental disasters, and minimize structural and ecological damage and loss of life.

Wherefore your memorialist, the House of Representatives of the State of Arizona, the Senate concurring, prays:

1. That the United States Congress appropriate monies to the State of Arizona to eradicate salt cedars from Arizona waterways.

2. That the United States Department of the Interior and the United States Depart-

ment of Agriculture develop innovative solutions to control the proliferation of salt cedars.

3. That the Secretary of State of the State of Arizona transmit copies of this Memorial to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Secretary of the United States Department of the Interior, the Secretary of the United States Department of Agriculture and each Member of Congress from the State of Arizona.

POM-35. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the Natural Resources Conservation Service of the Department of Agriculture and the United States Fish and Wildlife Service to collaborate and contribute their knowledge and expertise with the Louisiana Waterfowl Working Group in an effort to improve waterfowl habitats on private, state, and federally owned lands; to the Committee on Environment and Public Works.

HOUSE CONCURRENT RESOLUTION NO. 73

Whereas, Louisiana has a long and distinguished history of consistent, reliable wintering waterfowl habitat for generations; and

Whereas, waterfowl biologists estimate seed production in moist-soil wetlands located along migration routes and at wintering sites to calculate duck-energy days; and

Whereas, duck-energy days are the number of dabbling ducks that potentially can be sustained energetically in a wetland for a specified duration; and

Whereas, the Louisiana portion of the Chenier Plain Initiative area (CPIA) has a midwinter population objective of over eight hundred and eighty-eight thousand Gadwall and three hundred seventy-eight thousand Blue-winged teal duck-energy days; and

Whereas, the Louisiana portion of the west gulf coastal plain has a population goal of one million seven-hundred thousand duck-energy days of all species; and

Whereas, the Mississippi River Coastal Wetlands Initiative area (MRCWIA) encompasses important wintering waterfowl habitats including Pass A Loutre, Atchafalaya Delta Wildlife Management Area, Marsh Island, and Delta National Wildlife Refuge; and

Whereas, the Louisiana portion of the Mississippi Alluvial Valley of the Lower Mississippi Valley Joint Venture has a total duck-energy day objective of one-hundred twenty million nine hundred thousand duck-energy days based on a one hundred ten day wintering period from early November to late February; and

Whereas, Louisiana supports over half of the breeding population of western gulf coast mottled ducks; and

Whereas, over four hundred seventy-five thousand acres of rice were planted by Louisiana farmers in 2020, down from a high of six hundred seventy thousand acres in 1981; and

Whereas, the Gulf Coast Joint Venture has also determined that coastal marshes in the CPIA and MRCWIA are deficient in providing habitat to support their waterfowl population objectives; and

Whereas, the Louisiana Department of Wildlife and Fisheries (LDWF) owns and manages more than one million six hundred thousand acres of Louisiana's land and waterways as wildlife management areas, refuges, and conservation areas; and

Whereas, the Fish and Wildlife Service of the Department of the Interior of the United States (FWS) manages twenty three national wildlife refuges within Louisiana, covering more than five hundred fifty thousand acres throughout twenty-nine parishes; and

Whereas, the Natural Resources Conservation Service of the United States Department of Agriculture (NRCS) has a long record of working with private landowners to implement conservation practices and programs for the benefit of Louisiana's farms, wetlands, and wildlife habitats; and

Whereas, the Louisiana Waterfowl Working Group (LWWG) is comprised of a diverse group of landowners, managers, business owners, and professionals who share a common interest and concern over the direction Louisiana's waterfowl stock is heading; and

Whereas, the LWWG's mission is to ensure that waterfowl habitat remains a focal point for policy makers and stakeholders at all levels: Now, therefore, be it

Resolved, That the Legislature of Louisiana does hereby urge and request the Louisiana Department of Wildlife and Fisheries, the National Resources Conservation Service, and the United States Fish and Wildlife Service to collaborate and contribute their knowledge and expertise with the Louisiana Waterfowl Working Group in an effort to improve waterfowl habitats on private, state, and federally owned lands; and be it further

Resolved, That the LWWG shall submit an annual written report to the House Committee on Natural Resources and Environment and Senate Committee on Natural Resources detailing the results of its collaborative efforts to improve waterfowl habitats on private, state, and federally owned lands; be it further

Resolved, that the report should consider meaningful updates on habitat trends, policy recommendations, and other relevant topics related to Louisiana waterfowl, and the habitats they depend upon; be it further

Resolved, That a copy of this Resolution be transmitted to the secretary of the Louisiana Department of Wildlife and Fisheries, the Natural Resources Conservation Service of the United States Department of Agriculture, Louisiana State Conservationist, the United States Fish and Wildlife Service Region 4 Director, and the officers of both houses of the United States Congress and each member of the Louisiana congressional delegation.

POM-36. A joint resolution adopted by the Legislature of the State of New Jersey urging the President of the United States and the Environmental Protection Agency to take appropriate action to issue waivers and implement other reforms to allow for the blending of renewable fuels under the federal "Clean Air Act"; to the Committee on Environment and Public Works.

ASSEMBLY JOINT RESOLUTION No. 238

Whereas, Over the past year, United States refiners have been devastated by spiking, volatile Renewable Identification Number (RIN) prices under the federal Renewable Fuel Standard (RFS) program and a dramatic reduction in the use of fuel that was triggered by the COVID-19 pandemic. These factors have resulted in a shortage of RINs, and eight refinery closures, throughout the nation; and

Whereas, The United States Environmental Protection Agency (EPA) has authority from Congress to waive the RFS program's renewable fuel requirements "in whole or in part" if the EPA Administrator determines that "implementation of the requirement would severely harm the economy" of a State, region, or the United States; and

Whereas, Many independent refiners already struggle with slim margins and the RFS program's RIN requirements, as well as the manner in which the unregulated RIN market operates without oversight and subject to speculation and fraud, all of which

are currently inflicting serious economic harm on those businesses; and

Whereas, Current RFS compliance expenses exceed refineries' combined annual costs for labor, utilities, and maintenance, making the costs of such compliance refineries' largest expense, other than the purchase of crude oil; and

Whereas, RIN prices have dramatically increased as a result of the COVID-19 pandemic, increasing from as low as 10 cents at the beginning of 2020 to nearly \$2.00 in June 2021, and leading to a consequent increase, of approximately 30 cents per gallon, in the cost of making gasoline;

Whereas, Harmful financial effects associated with the complex RFS program are especially severe under current market conditions, where demand for refined products is significantly depressed by the COVID-19 pandemic and is not expected to fully recover in the near future; and

Whereas, The COVID-19 pandemic caused an unprecedented year-over-year decline in demand for petroleum and other liquid fuels, leading to temporary, partial, and permanent refinery closures, including the mothballing of the fuels section of the Paulsboro Refinery in New Jersey, as well as other capacity reductions throughout the United States; and

Whereas, Production data published by the Energy Information Administration (EIA) in the United States Department of Energy (DOE) has repeatedly shown, for several years, that there is no relationship between RIN prices and the amount of ethanol that's actually blended into the nation's gasoline supply; and

Whereas, The EIA recently noted that, in 2020, 800 million fewer RINs were actually generated than what was required to meet the 2020 RFS standard, thereby resulting in a shortage of available RINs, especially when combined with hoarding by unregulated, non-industry speculators; and

Whereas, Prior to the COVID-19 pandemic, State and regional refineries supported over 16,500 New Jersey jobs, compensating those employees with more than a billion dollars in total, while adding \$4.2 billion to the State's gross domestic product and generating over \$12.3 billion in total economic output, including the payment of more than \$382 million in State and local taxes. Unfortunately, some of the jobs supported by these refineries were lost due to a partial shutdown attributable to the COVID-19 pandemic; and

Whereas, Refining and petrochemical industries contribute approximately \$600 billion annually to the nation's economy and employ over three million industrial workers in 33 states, but increasing dependence on imported fuels threatens these industries and potentially affects their fuel supplies; and

Whereas, The recent hacking incident affecting the Colonial Pipeline has exposed the vulnerability of the nation's energy supply, highlighting the need to keep our refineries open to fuel the economy; and

Whereas, On June 1, 2021, Governor Phil Murphy wrote to the EPA to urge the agency to extend flexibilities to merchant refiners through the renewable volume obligation under the RFS program; now, therefore, and be it

Resolved, By the Senate and General Assembly of the State of New Jersey:

1. The Legislature of the State of New Jersey respectfully urges the United States Environmental Protection Agency to exercise its waiver authority, pursuant to section 211(o)(7)(A)(i) of the "Clean Air Act," 42 U.S.C. s.7545(o)(7)(A)(i), to reduce nationwide Renewable Fuel Standard volume mandates in order to provide relief to refiners in New Jersey, on the East Coast, and elsewhere.

2. The Legislature also respectfully urges the President of the United States and the United States Environmental Protection Agency to establish reasonable 2021 and 2022 Renewable Fuel Standard volume mandates, which are in line with actual gasoline and diesel demand, and to make the reforming and restructuring of the Renewable Fuel Standard program a national priority, so as to maintain low and stable Renewable Identification Number prices while allowing for the continued blending of renewable fuels consistent with the original intent of the program.

3. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly or the Secretary of the Senate to the President of the United States, the Administrator of the United States Environmental Protection Agency, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, and every member of Congress elected from this State.

4. This joint resolution shall take effect immediately.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. MANCHIN for the Committee on Energy and Natural Resources.

*Robert T. Anderson, of Washington, to be Solicitor of the Department of the Interior.

*Shalanda H. Baker, of Texas, to be Director of the Office of Minority Economic Impact, Department of Energy.

*Samuel T. Walsh, of New York, to be General Counsel of the Department of Energy.

*Andrew Eilperin Light, of Georgia, to be an Assistant Secretary of Energy (International Affairs).

By Mr. DURBIN for the Committee on the Judiciary.

Gustavo A. Gelpi, of Puerto Rico, to be United States Circuit Judge for the First Circuit.

Angel Kelley, of Massachusetts, to be United States District Judge for the District of Massachusetts.

Christine P. O'Hearn, of New Jersey, to be United States District Judge for the District of New Jersey.

Helaine Ann Greenfeld, of Maryland, to be an Assistant Attorney General.

Christopher H. Schroeder, of North Carolina, to be Assistant Attorney General.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. GRASSLEY (for himself, Mr. LEAHY, Mr. KENNEDY, Mr. DURBIN, and Mr. WICKER):

S. 2428. A bill to amend title 31, United States Code, to modify False Claims Act procedures, and for other purposes; to the Committee on the Judiciary.